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Alabama Judicial System

Annual Report
Fiscal Year 1982

October 1, 1981
to
September 30, 1982

Alabama Administrative Office of Courts

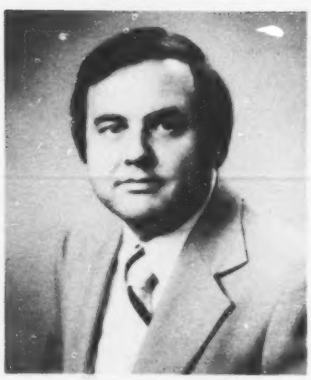
817 South Court Street
Montgomery, Alabama 36130-0101

Comments and inquiries concerning this Annual Report should be directed to:

Mr. Allen L. Tapley
Administrative Director of Courts

Administrative Office of Courts
817 South Court Street
Montgomery, Alabama 36130-0101
Telephone: (205) 832-6710
Toll Free (In-state): 1-800-392-8077

C. C. Torbert, Jr.
Chief Justice
Supreme Court of Alabama



Allen L. Tapley
Administrative Director
of Courts

The Honorable C. C. Torbert, Jr.
Chief Justice, Supreme Court
of Alabama

Dear Chief Justice Torbert:

In accordance with Section 12-5-10, *Code of Alabama* 1975, I am pleased to present the Annual Report for the Alabama judicial system for the Fiscal Year 1982, which includes the period from October 1, 1981, to September 30, 1982.

Throughout 1982, Alabama's judicial system has continued to refine and improve the quality and delivery of judicial services to citizens of our state. Automated case management programs, new juror summoning proc sses, and expanded financial receipting systems have been implemented in our trial courts. The use of computer technology has been expanded at the Administrative Office of Courts to expedite the delivery of administrative services while ensuring increased fiscal responsibility. Judicial education programs have been expanded through the development of new audio visual materials, particularly those for the training of municipal court judges and officials. Through the continuation of the teacher workshop program and the initiation of a week-long celebration of law in conjunction with the National Law Day program, the Alabama judiciary has also continued its commitment to better inform, educate, and involve our citizens in their legal system.

The citizens of our state can take great pride in the advancements which have been made to provide judicial services in an effective and fiscally responsible manner.

Sincerely,

Allen L. Tapley
Administrative Director
of Courts

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FY 1982

JUDICIAL YEAR

IN REVIEW

New and expanded programs and services, many of which include the application of computer technologies, were instituted throughout the judicial system during FY 1982. These programs have expedited the processing of work, expanded administrative capabilities, generated immediate and future cost savings, and increased fiscal and managerial accountability within the system.

One-Step Juror Qualifying and Summoning Program Initiated

Act 788 passed by the Alabama legislature in 1981 authorized the combining of the "two-step" process of qualifying and then summoning jurors. Pursuant to this Act, 11 circuit courts are involved in a pilot program using the new "one-step" process of summoning jurors. The new system eliminates the distribution of separate qualifying forms for jurors and utilizes the computer resources at the Administrative Office of Courts.

Under the one-step program, local courts notify the Administrative Office of the number of jurors needed. Names of potential jurors are randomly selected from the computerized drivers' license list, and then computer-generated qualifying and summoning forms are printed and mailed to prospective jurors.

This new program reduces the clerical workload and the cost of summoning jurors by eliminating the need for an additional mailing. During 1982, courts participating in the program summoned 5,739 jurors at a combined total cost of $1,377, or 24 cents per juror. By utilizing the one-step system, approximately $17,000 in summoning costs was saved.

It is anticipated that an additional 40 courts will participate in the program during FY 1983, thereby increasing the amount of cost savings.

Computerized Case Management Systems Developed

Under the guidance of the State Judicial Information System's Advisory Committee, the Administrative Office of Courts has developed and implemented the Case Index System and the Criminal Case Tracking System. These model systems, which are supported by more than 75 computer programs, are currently in operation in Madison and Montgomery counties.

The Case Index System provides quick access to case information and eliminates the need for traditional card files and oversized index books. The system also allows researching names of unusual or unknown spelling by entering only a portion of the name.

The Criminal Case Tracking System expedites the tracking of criminal cases at the circuit court level from filing to disposition. Under this system, the status of any pending circuit criminal case can be recalled instantly.

At present, six reports are available from the Criminal Case Tracking System. Arraignment and trial dockets are gener-

ated by the system, relieving the clerk's office from the time-consuming task of reviewing each case file. Pretrial and post-trial case reports provide status information on each pending criminal case, and a judicial activity report reflects the number of filings, dispositions, and pending cases, by month, for the circuit. The system also provides a computer-generated case action summary sheet which greatly speeds up posting the events which occur in criminal cases.

Currently, Madison and Montgomery courts are using "stand alone" systems. In the future, these systems will be linked to the central computer located at the Administrative Office of Courts. This linkage will provide courts with increased storage capacity and will allow the automation of additional court functions.

Use of Electronic Cash Receipting Systems Expanded

To reduce the bookkeeping workload in the clerks' offices, electronic cash registers (ECRs) were installed in seven additional counties. Counties receiving the new systems were: Lauderdale, Jefferson (Birmingham), Shelby, Madison, Etowah, Dallas, and Colbert. These machines are primarily used in the district courts where the largest number of cases are filed and, therefore, the heaviest bookkeeping requirements occur.

The ECR automatically produces receipts, stamps all money orders and checks for deposit, and generates a summary fee report which is posted to the cash book. All fees are preprogrammed to reduce computational errors.

A daily listing of all cases, in which monies have been receipted along with other necessary financial data, is also generated. In addition, the ECR provides an accounting of all cash and checks received. This report is used by the clerk's office in making the daily deposits.

By eliminating the need for handwriting and posting all receipts, the use of the ECR's has greatly reduced the bookkeeping workload in the clerks' offices.

Computer Output Microfiche Now In Use

A recent innovation in our microfilm program has been the use of computer output microfiche in the register's office in Mobile County and the circuit clerk's office in Madison County. Through the use of the Judicial Data Center's computer-output microfiche program, case index data from these two offices was transferred from magnetic tape to microfiche. The application of this program reduces paper and storage cost and allows for record reconstruction, if required.

During FY 1982, the Judicial Microfilm Centers in Birmingham, Montgomery, and Mobile produced an estimated 1,058,150 images. Records from the Supreme Court and from the courts of Chilton, Russell, Mobile, and Jefferson counties were filmed.

An estimated 618 cubic feet of court space were freed for other uses as a result of the microfilming and subsequent destruction of records. This space savings equals the amount of records contained in 96 four-drawer filing cabinets.

Delivery of Administrative Services Improved

New computer applications are expediting and improving the management capabilities of the Administrative Office of Courts. To assist in projecting equipment needs and formulating annual equipment budgets, the Administrative Office of Courts developed an equipment replacement schedule. The schedule has been computerized and provides reasonable life-expectancy data for all equipment purchased for use in the state courts. Programs have been written to allow the scanning of the equipment inventory files to identify specific pieces of equipment which have exceeded the given life expectancy.

The equipment replacement system also provides repair history information on each item of state court equipment, including the date and cost of services performed. This system allows the identification of equipment items which have not reached their given life expectancy but which have generated high-maintenance costs. Once identified, these items can be scheduled for replacement before maintenance costs become excessive.

In February, 1982, the judges and employees of the two intermediate appeals courts and the Supreme Court were assumed under the Alabama Judicial Personnel System. Prior to this time, personnel services for the appellate courts were provided by the state personnel department. With the assumption of appellate personnel, all state court employee services are administered by the judicial personnel system.

The delivery of personnel services has been improved as a result of the personnel system's going "on-line". Through the use of remote terminals located in the personnel office, employee and applicant information previously available only in individual files can be readily retrieved.

Committee on Indigent Defense Services and Claims Appointed

Chief Justice C. C. Torbert, Jr., appointed a special committee to review procedures for filing of claims for indigent defense services and to develop materials and continuing education programs to improve the effective use of monies available through the state's Fair Trial Tax Fund.

In the past, the solvency of the Fair Trial Tax Fund was maintained only through the infusion of additional monies by order of the governor. In 1981, legislation was enacted increasing the docket fees for the Fair Trial Tax as well as hourly and maximum rates for provision of indigent counsel. As a result of the increase in docket fees, a minimal surplus in the Fair Trial Tax Fund was reported at the end of this fiscal year.

The new committee is composed of circuit judges, district judges, defense attorneys, public defenders, circuit clerks, the state comptroller, and a representative of the attorney general's office.

Municipal Court Education And Management Services Expanded

In an effort to enhance the training of warrant clerks and magistrates, the Administrative Office of Courts has developed a video presentation and instructional handbook on warrant issuance. Most misdemeanor and felony warrants are issued in the over 300 municipal courts throughout the state, making the emphasis on warrant-issuance education extremely important.

The video presentation and handbook defines the duties and responsibilities of the warrant clerk and magistrate and addresses specific requirements for issuing warrants. The program was developed to be utilized in regional seminars or in presentations to individual courts by the Administrative Office of Courts staff. Many police departments have also found the presentation useful in their continuing education programs.

A standardized pegboard accounting system was also developed for use in municipal courts. The system provides a one-step procedure for receipting, posting, and, if necessary, updating partial payment cards. The standardized pegboard system was adopted by 48 municipal courts this fiscal year.

A municipal court subpoena form was developed which allows for service by mail. Use of the new form has greatly increased the efficiency of the courts and has substantially reduced the number of police manhours required for personally serving subpoenas. A standardized form for reporting Fair Trial Tax Fund and Driver Education Fund collections was also developed and implemented.

Repeat DUI Offender Programs Established

The Comprehensive Alcohol Program in Montgomery and the Regional Alcoholism Council in Birmingham established separate programs for repeat DUI offenders. In addition to traditional classroom work and group counseling, these programs stress the involvement of the defendant's family in the rehabilitation process. Currently, the Administrative Office of Courts is developing a model DUI repeat offender program for statewide application.

The Administrative Office has continued to sponsor training programs for new DUI instructors. During FY 1982, the number of persons attending the approved DUI schools totaled 17,854, an increase of 28.3%. Twenty-two new instructors were certified by the Administrative Office of Courts, bringing the statewide total to 174. In addition, a revised DUI manual was completed and distributed to all approved DUI agencies.

Judicial Education Courses Approved for Continuing Legal Education Credit

During FY 1982, a total of 1,416 state court officials attended 19 conferences sponsored by the Alabama Judicial College. Orientation and continuing education conferences included 310 hours of instruction conducted by 262 faculty members. Conferences were held for appellate, circuit, district, juvenile, and municipal judges. Clerks and registers, court reporters, and judicial secretaries also attended judicial college conferences during this year.

The Alabama State Bar's Commission for Mandatory Continuing Legal Education recognized the quality of course work available at the judicial conferences and approved the Alabama Judicial College as a sponsor for continuing legal education programs.

Teacher Workshops Held

For the second year, the Alabama Judicial College, in conjunction with the Administrative Office of Courts and the University of Alabama, sponsored a workshop on the Alabama court system for 8th and 12th grade teachers. The week-long workshop, held at the judicial college in Tuscaloosa, was attended by 29 educators. Teachers who completed the workshop received graduate credit and, following their return to their local system, were required to teach expanded units on law-related education and to conduct in-service training programs for their fellow teachers.

A similar program was conducted at the University of South Alabama in Mobile for 15 social studies teachers. These teachers also earned graduate credit for completing the week-long course and were required to develop a unit of study for their classes.

Bench Manuals and Court Forms Are Published

The District Judges' Bench Manual was finalized and distributed to the district judges at their mid-winter conference. This manual provides district judges with readily accessible information on court procedures and current court decisions.

Revision of the Juvenile Judges' Bench Manual continued throughout the year. Of the 20 projected chapters, nine have been drafted and are scheduled for distribution during the next fiscal year. The revision of the remaining chapters is scheduled to continue through FY 1983.

Numerous court forms were either revised or developed during the year. Preliminary drafts of child support garnishment forms have been completed and are being reviewed. Due to changes in the rates paid to court-appointed counsel in indigent criminal cases, fee declaration forms for adult and juvenile cases were revised and distributed. A new affidavit of indigency form was developed and approved by the Alabama Supreme Court, and research on a standard garnishment writ for garnishing bank accounts was begun.

Public Information And Education Programs Expanded

The court's public information and education program was expanded during FY 1982. New services included the publication of a victim-witness brochure, the revision of law-related teaching materials for use in adult basic education programs, and the initiation of a week-long Law Day celebration.

The *Alabama Victim and Witness Handbook*, published in March, 1982, was distributed to district attorneys throughout the state. This pamphlet, developed in response to recommendations made by the Governor's Commission on Crime, describes the processes and procedures that victims and witnesses may encounter in the criminal justice system.

Law, The Language of Liberty, the supplemental materials for K-12 social studies teachers, was adapted for use in the state's adult basic education program. Representative adult education teachers and specialists from the State Department of Education participated in the revision of these materials. The revised series was published by the Administrative Office of Courts and distributed at the annual meeting of adult basic education teachers.

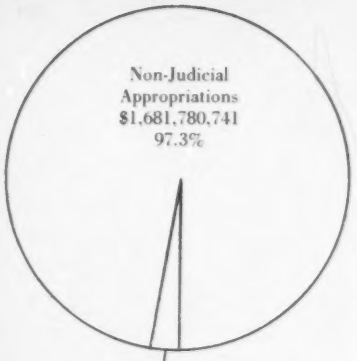
Law and Court Observance Week, held April 25-May 1, expanded Alabama's traditional Law Day commemoration to a week-long program. The major objective was to increase citizens' respect for and understanding of the courts and the rule of law. To accomplish this objective, the state judiciary and the Alabama State Bar joined together to encourage judges, court officials, attorneys, and other law-related officials to sponsor activities and programs in their communities. Public service announcements and news releases were prepared by the Administrative Office of Courts for statewide distribution.

In recognition of this outstanding effort by the Alabama judiciary and the Alabama State Bar, the American Bar Association selected Alabama's Law and Court Observance Week Program to receive a Special Law Day Public Service Award.

Judicial Finances

The Alabama courts are funded through state general fund appropriations and limited federal grant-in-aid programs. For FY 1982, state appropriations to the judicial branch totaled $46.6 million, including approximately $42.3 million for the operation of the trial courts and the Administrative Office of Courts and $4.3 million for the appellate courts.

Judicial Appropriations
Percent of Total Appropriations
($1,728,394,124)
Fiscal Year 1982



Prior to FY 1982, employee fringe benefits for all departments were combined as a separate general fund appropriation line item. New state fiscal procedures instituted in FY 1982 required that such employee benefit costs be incorporated in the individual agency's budget request and included as part of the agency's appropriation. As a result of these accounting procedures, state appropriations to the judicial branch increased from $35.2 million in FY 1981 to $46.6 million in FY 1982. Of this increase, $7.8 million can be attributed to this change in accounting. The majority of the remaining $3.6 million represents additional appropriations provided as a result of salary increases for employees and judicial officers.

Appropriations
Fiscal Year 1982

Supreme Court	$2,616,048
Court of Criminal Appeals	1,031,255
Court of Civil Appeals	680,332
Trial Courts and Administrative Office	42,285,748
Total	$46,613,383

Distributions of Reported Revenue
Fiscal Year 1982

County General Fund	$2,845,335
District Attorney's Fund	1,051,743
Public Law Library	794,864
Police Officers Annuity	514,782
Police Officers Standards and Training Fund	298,373
Department of Conservation	447,032
Miscellaneous Revenues	413,403
State Revenues:	
Filing Fees	$6,614,394
Fines and Forfeitures	7,497,856
Commissions on Sales	54,884
Other Revenue	190,971
Total to General Fund	14,358,105
Drivers Education Funds	179,649
Fair Trial Tax - Docket Fee	3,210,327
Fair Trial Tax - Recoupment	31,010
Total to State Comptroller	17,779,091
Total Reported Revenues	$24,144,623

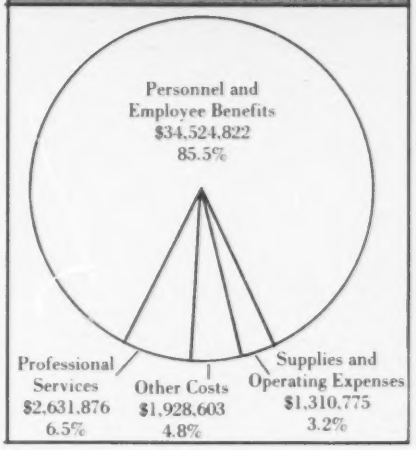
Federal assistance to the judicial branch was provided through the Office of Highway and Traffic Safety. Grants totaling $61,984 were awarded for implementation of the Uniform Traffic Citation program and educational programs for municipal and district court judges having traffic jurisdiction and municipal court magistrates.

The Unified Judicial System generates revenues in the form of filing fees, fines, and forfeitures. For FY 1982, revenue reported by the courts totaled approximately $24.1 million, a decrease of less than 1 percent of revenues reported for FY 1981 and an increase of 28 percent of revenues reported for FY 1979.

Revenues collected by the Unified Judicial System are distributed in accordance with state statutes. For this fiscal year, 74 percent of the total revenues reported, or $17.8 million, was transmitted to the state comptroller. Of this amount, $14.4 million, or 60 percent of the total revenues, was earmarked for the state general fund, the major appropriations source for the Unified Judicial System.

Expenditures for the Unified Judicial System, exclusive of the appellate courts, totaled approximately $42 million, an increase of 35 percent of the expenditures reported for FY 1981. This change can be attributed almost entirely to an increase in personnel costs resulting from the change in state fiscal reporting of fringe benefits and to an increase resulting from the upgrading of salaries and benefits.

Judicial Expenses
Exclusive of the Appellate Courts and Encumbrances
($40,396,076)
Fiscal Year 1982



Additionally, increases were noted in the cost for jurors and witnesses, utilities and communications, equipment repair and maintenance, and judicial travel and education.

Judicial Expenses
Exclusive of the Appellate Courts
Fiscal Year 1982

Personnel and Employee Benefits	$34,524,822
Professional Services Including Juror and Witness Costs	2,631,876
Operating Expenses and Supplies	1,310,775
Other Costs:	
Equipment Purchase	323,190
Rentals and Leases	284,234
Utilities and Communications	689,684
Repair and Maintenance	234,176
Travel: In-State	275,129
Out-of-State	54,716
Transportation Equipment Operations	10,409
Matching Funds for Grants	54,180
Intergovernmental Transfers	2,885
Total Expenses For FY 1982 as of September 30, 1982	$40,396,076

THE COURT SYSTEM

Appellate Courts

The Alabama appellate courts consists of a Supreme Court and two courts of appeals: the Court of Civil Appeals and the Court of Criminal Appeals.

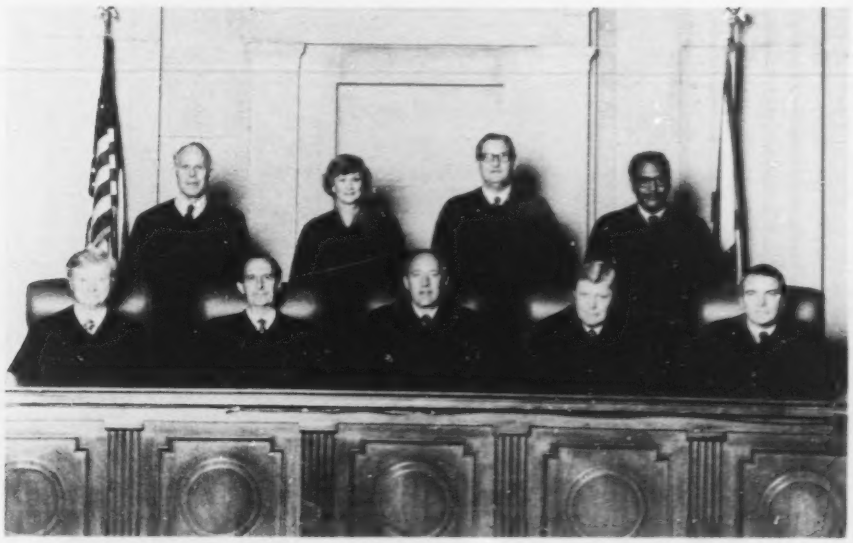
Supreme Court

The Supreme Court, the highest state court in Alabama, is composed of a chief justice and eight associate justices, each elected statewide for a term of six years. The Supreme Court has the power to superintend and review any case tried, heard, or appealed in any other court in the state. It has exclusive jurisdiction over all suits at law where the amount in controversy exceeds $10,000 and all appeals from the Alabama Public Service Commission. The court has rule-making power and has authority to promulgate administrative regulations to ensure the efficient and speedy administration of justice. The Supreme Court may answer questions of state law certified by a court of the United States and is authorized by law to give advisory opinions to the governor and the legislature on important constitutional questions.

The number of new cases filed with the Supreme Court increased sharply during FY 1982. The number of appeals and extraordinary writs increased by 19

Alabama Supreme Court
Cases Docketed and Disposed
October 1, 1981 — September 30, 1982

Cases Docketed	
New Cases:	
Appeals and Extraordinary Writs	687
Petitions for Writ of Certiorari	394
Miscellaneous Docket	86
Certified Questions	2
Advisory Opinions	20
Impeachments	1
Total New Cases	1190
Cases Carried Over from Previous Year	507
Total Cases Docketed	1,697
Cases Disposed	
Appeals	340
Petitions for Certiorari	66
Extraordinary Writs, Certified Questions and Advisory Opinions	47
Petitions for Writ of Certiorari Denied	311
Dispositions by Court of Miscellaneous Docket and Disposition by Clerk's Office	279
Total Cases Disposed	1043
Cases Docketed But Not Submitted	654



SUPREME COURT OF ALABAMA. First Row - left to right: Justice Richard L. Jones, Justice Hugh Maddox, Chief Justice C. C. Torbert, Jr., Justice James H. Faulkner, Justice Reneau P. Almon. Second row: Justice Samuel A. Beatty, Justice Janie L. Shores, Justice T. Eric Embry, Justice Oscar W. Adams, Jr.

Alabama Supreme Court
Filings and Dispositions
FY 1978 — FY 1982

	1978	1979	1980	1981	1982	Change 1978 - 1982	
Cases Carried Over from Prior Year	299	357	409	576	507	208	69.6%
New Filings	874	935	1042	1018	1190	316	36.2%
Total Caseload	1173	1292	1451	1594	1697	524	44.7%
Cases Disposed	816	883	875	1087	1043	227	27.8%
Cases Carried Over to Next Year	357	409	576	507	654	297	83.2%

Court of Criminal Appeals
Filings and Dispositions
FY 1978 — FY 1982

	1978	1979	1980	1981	1982	Change 1978 - 1982	
Cases Carried Over from Prior Year	548	622	502	537	585	37	6.8%
New Filings	912	829	838	1,030	1,180	268	29.4%
Total Caseload	1,460	1,451	1,340	1,567	1,765	305	20.8%
Cases Disposed	838	949	803	982	1,044	206	24.6%
Cases Carried Over to Next Year	622	502	537	585	721	99	15.9%

Court of Civil Appeals
Filings and Dispositions
FY 1978 — FY 1982

	1978	1979	1980	1981	1982	Change 1978 - 1982	
Cases Carried Over from Prior Year	140	155	204	239	240	100	71.4%
New Filings	361	419	464	475	485	124	34.3%
Total Caseload	501	574	668	714	725	224	44.7%
Cases Disposed	346	370	429	474	484	138	39.9%
Cases Carried Over to Next Year	155	204	239	240	241	86	55.5%

percent, petitions for certiorari increased by 12 percent, and the number of certified questions and requests for advisory opinions doubled. The total of new cases filed increased from 1,018 cases for the previous year to 1,190 cases in FY 1982, an increase of approximately 17 percent. The Supreme Court disposed of 1,043 cases, of which 453 cases were disposed through the issuance of written opinions, an average of 50 opinions per justice.

Court of Criminal Appeals

The Court of Criminal Appeals is a five-member body composed of a presiding judge and four judges. The court has exclusive appellate jurisdiction of all misdemeanors including violations of municipal ordinances, all felonies, and all original jurisdiction in the issuance of remedial writs necessary to give it general superintendence and control of jurisdictions inferior to it in matters over which it has exclusive appellate jurisdiction. Judgments of the Court of Criminal Appeals may be reviewed by the state Supreme Court by the granting of a petition for writ of certiorari. Capital cases are automatically reviewed by the Supreme Court.

The Court of Criminal Appeals reported a 15 percent increase in the number of cases filed in FY 1982, from 1,030 cases to 1,180 cases. During this fiscal year, a total of 1,044 cases were disposed. Of this number, 408 were disposed with written opinions; 446 were disposed without written opinions; and 190 cases were disposed en banc. Seven hundred seven appeals were affirmed by the court; 62 appeals were reversed and remanded; 11 appeals were reversed and rendered; 15 appeals were remanded with directions; and the remaining cases were dismissed, denied, or decided en banc. At the close of the fiscal year, 721 cases were carried over to the next term of court. These cases were either not ready for submission to the court, awaiting rehearing by the court, or on appeal to the state Supreme Court.

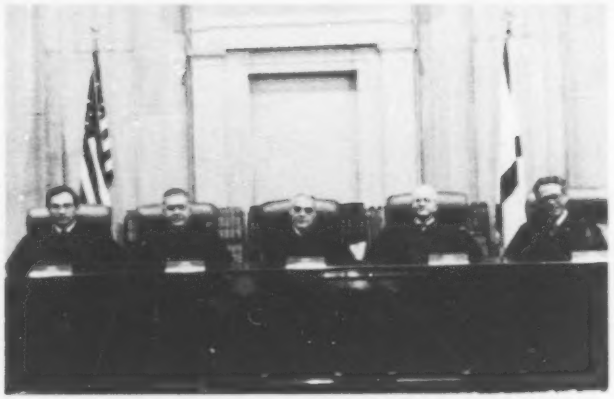
Court of Civil Appeals

The Court of Civil Appeals, composed of a presiding judge and two associate judges, was created by the Alabama Legislature in 1969. The court has original appellate jurisdiction in all civil appeals where the amount in controversy does not exceed $10,000, all appeals from administrative agencies other than the Alabama Public Service Commission, all appeals in workmen's compensation cases, and all appeals in domestic relations cases, including annulment, divorce, adoption, and child custody cases.

For FY 1982, the Court of Civil Appeals reported a total caseload of 725 cases. This figure includes 485 new filings and 240 cases which, at the close of the previous term, were either not ready for submission, awaiting rehearing by the court, or on appeal to the Alabama Supreme Court. The Court of Civil Appeals disposed of 484 cases, of which 69 percent were disposed through the issuance of written opinions. Of those cases decided with written opinions, 67 percent were affirmed; 24 percent were reversed; 5 percent were affirmed in part and reversed in part; and 4 percent were disposed by dismissal or petition for extraordinary relief granted or denied. All decisions of the court are made en banc. Each judge is required to review each case submitted to the court.

Of those cases submitted to the Court of Civil Appeals, 31 percent were argued and submitted and 69 percent were submitted on briefs. Of the orally argued and submitted on brief cases, 60 percent and 69 percent, respectively, were affirmed.

There were 135 applications for rehearings. Of these, 107 petitions for certiorari were sought in the state Supreme Court; 76 were denied; 9 were quashed; 6 were affirmed; 12 were reversed; and 5 were dismissed.



ALABAMA COURT OF CRIMINAL APPEALS
Judge William Bowen, Judge John Tyson III, Judge John DeCarlo, Presiding Judge John O. Harris, Judge Bishop Barron.

ALABAMA COURT OF CIVIL APPEALS
Judge Robert Bradley, Presiding Judge L. Charles Wright, Judge Richard Holmes.

The average lapse of time from the filing of a notice of appeal to the issuance of a written opinion by the Court of Civil Appeals was 27 weeks, including approximately 9 weeks for the completion of the record and 8 weeks for the submission of briefs. The average time from submission of the case to the issuance of the written opinion was 2.8 weeks.

Trial Courts

The Alabama trial courts consist of a court of general jurisdiction known as the circuit court, a court of limited jurisdiction known as the district court, a probate court, and such municipal courts as may be established.

Circuit Court

The circuit court is the state's trial court of general jurisdiction. The 67 counties in Alabama are divided into 39 judicial circuits which are composed of one to five counties. There are 113 circuit judges, and each circuit has from one to twenty resident circuit judges. By law, circuit court is held in every county in the state.

The circuit court jurisdiction, generally, is as follows:

- Civil—Exclusive original jurisdiction of all civil actions in which the matter in controversy exceeds $5,000 and original jurisdiction concurrent with the district court in civil actions in which the matter in controversy exceeds $500 exclusive of interest and cost.
- Criminal—Exclusive original jurisdiction of all felony prosecutions and/or misdemeanor or ordinance violations which are lesser included offenses within a felony charge or which arise from the same incident as a felony charge, except that the district court has concurrent jurisdiction with the circuit court to receive pleas of guilty in felony cases not punishable by sentence of death.
- Juvenile—Original concurrent jurisdiction with the district court in proceedings involving the following: children alleged to be delinquent, dependent, or in need of supervision; traffic offenses transferred to juvenile court; determining custody or appointing legal custodian or guardian of a child who is otherwise before the court; removal of disability of non-age; interstate compact on juveniles; commitment of mentally ill or retarded children; adoption, when such proceedings are removed from probate court; and termination of parental rights.
- Appellate—Appellate jurisdiction of civil, criminal, and juvenile cases in district court and prosecutions for ordinance violations in municipal courts, except in cases in which direct

Circuit Court
Filings and Dispositions
FY 1979 — FY 1982

Filings

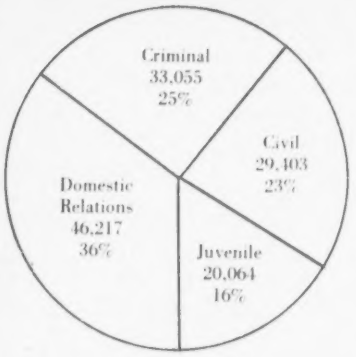
	1979	1980	1981	1982	Change 1981 - 1982		Change 1979 - 1982	
Criminal	24,302	26,896	31,129	33,055	1,926	6.2%	8,753	36.0%
Civil	26,302	29,287	28,460	29,403	943	3.3%	3,101	11.8%
Domestic Relations	46,809	47,176	47,353	46,217	-1,136	-2.4%	-592	-1.3%
Juvenile	21,025	19,782	21,386	20,064	-1,322	-6.2%	-961	-4.6%
Total	118,438	123,141	128,328	128,739	411	0.3%	10,301	8.7%

Dispositions

	1979	1980	1981	1982	Change 1981 - 1982		Change 1979 - 1982	
Criminal	24,552	24,552	27,685	31,843	4,158	15.0%	7,291	29.7%
Civil	25,312	27,236	27,827	26,826	-1,001	-3.6%	1,514	6.0%
Domestic Relations	48,832	47,223	48,498	45,612	-2,886	-6.0%	-3,220	-6.6%
Juvenile	20,138	20,526	24,842	19,583	-5,259	-21.2%	-555	-2.8%
Total	118,834	119,537	128,852	123,864	-4,988	-3.9%	5,030	4.2%

appeal to the appellate courts is provided by law or rule. Appeals to the circuit court are tried de novo, with or without a jury, as provided by law.

Circuit Court Filings
Fiscal Year 1982
(Total Filings: 128,739)



During FY 1982, case filings in the circuit court totaled 128,739, an increase of 9.3 percent, or 411 cases, over the previous year. Domestic relations and juvenile jurisdictions of circuit court reported decreases in case filings of 1,136 cases and 1,322 case filings, respectively. Criminal filings increased by 6.2 percent, or 1,926 cases; and civil filings increased by 943 cases, or 3.1 percent.

District Court

The district court is the state trial court of limited jurisdiction. The state's 67 counties are divided into 65 districts; two districts are each composed of two counties. There are 89 district judges, and each district has from one to eleven district judges. There is a district court in each county. Sessions of court are held in each county seat and in each municipality of 1,000 or more population where no municipal court exists. The district court is a non-jury court of record.

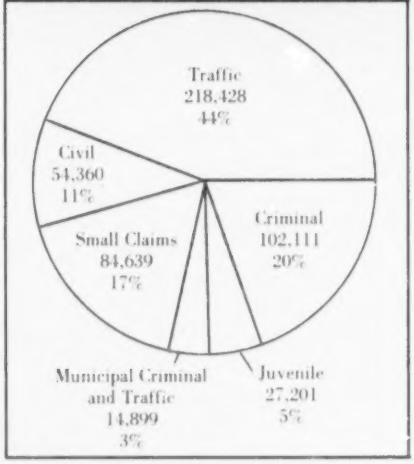
The district court jurisdiction, generally, is as follows:

- Civil—Original civil jurisdiction concurrent with the circuit court in civil actions in which the matter in controversy does not exceed $5,000 and civil actions based on unlawful detainer.

  Small Claims-Exclusive jurisdiction over all civil actions in which the matter in controversy, exclusive of interest and costs, does not exceed $500.
- Criminal Misdemeanors—Exclusive original trial jurisdiction over prosecutions of all offenses defined by law or ordinance as misdemeanors, except prosecutions by municipalities having municipal courts.
- Criminal Felonies—Original jurisdiction concurrent with the circuit court to receive pleas of guilty in prosecutions of offenses defined by law as felonies not punishable by sentence of death. Jurisdiction to hold preliminary hearings in prosecutions for felonies as provided by law.
- Criminal Traffic—Exclusive original jurisdiction of misdemeanor prosecutions for traffic infractions, except ordinance infractions prosecuted in municipal court.
- Juvenile—Concurrent jurisdiction with the circuit court.

In the district court, case filings totaled 501,638. This figure represents a decrease of 40,983 cases, or 7.6 percent, from FY 1981. The largest decrease was reported in the traffic jurisdiction, where case filings decreased by 31,357 cases. Small claims filings decreased by 6,911 cases; criminal filings were down 4,646 cases; and district court civil filings dropped by 1,458 cases. District court juvenile filings increased 2,096 cases, or 8.4 percent. Cases arising from municipal jurisdictions which are heard in the district courts increased by 8.8 percent, or 841 cases.

District Court Filings
Fiscal Year 1982
(Total Filings: 501,638)



Alabama Judicial Circuits
Fiscal Year 1982

Municipal Court

The municipal court is a court of limited jurisdiction established in each municipal corporation, except those municipalities which abolished their courts by ordinance in accordance with Section 12-14-1, *Code of Alabama* 1975. Currently, there are 277 municipal courts which are served by 219 municipal judges.

The jurisdiction of the municipal court, generally, is as follows:

- Jurisdiction over all prosecutions for the breach of municipal ordinances within its police jurisdiction.
- Concurrent jurisdiction with the district court of all acts constituting misdemeanor offenses under state law committed within the police jurisdiction of the municipality which may be prosecuted as breaches of municipal ordinances.

Where a municipality elects to abolish its court, the jurisdiction of the court is transferred to the district court. The district court is required to hold sessions in those municipalities where the municipal court has been abolished and the population is over 1,000. Any municipality which has abolished its court may subsequently reestablish the municipal court by ordinance. In FY 1982, only one municipality abolished its municipal court; no municipalities reestablished such courts. A total of 60 municipalities now utilize the district courts for the adjudication of ordinance violations.

Probate Courts

The probate courts in Alabama have original and general jurisdiction over the probate of wills, the granting of letters testamentary, the rights of executorship, the settlement of accounts of executors and administrators, the sale of estate properties, the appointment and removal of guardians for minors and persons of unsound mind, guardianships, allotments of dower and land, partition of lands within the respective county, and name changes. There is a probate court in every county. Several probate judges also serve as chairmen of their county commissions.

While constitutionally a part of the Unified Judicial System, the probate courts are not included in the budget for the Unified Judicial System and are administered locally by the respective probate judges. Funding for the probate courts is provided through the county governments or through fees generated in probate court.

Judge Assignments

By law the chief justice of the Alabama Supreme Court has the authority to assign active trial judges outside their circuits and retired trial judges to duty in the appellate, circuit, district, and probate courts.

Active and retired judges may be assigned by the chief justice to hear specific cases in which incumbent judges have recused themselves because of conflicts of interest. In FY 1982, active and retired judges were assigned to hear 474 cases in the circuit courts and 148 cases in the district courts. Based on an average of two days per circuit court case and one day per district court case, these 622 cases represent 1,096 judge assignment days. Seventy percent of these 622 cases were heard by active judges; 29 percent were heard by retired judges; and 1 percent of these cases were heard by attorneys appointed to serve as special judges.

During FY 1982, 13 retired judges accepted temporary assignments to circuit and district courts in which there was an extended illness or vacancy on the bench. Retired judges provided ongoing assistance to the circuit courts in the 10th, 12th, 13th, 29th, and 39th Judicial Circuits, as well as in the District Court of Mobile County. As these judges may be called to the bench by the presiding circuit judge when needed, no statistics are available on the number of days served or number of cases disposed.

In addition to providing services to the circuit and district courts, retired circuit judges also provide ongoing assistance to the courts of appeals. During FY 1982, two retired circuit judges assisted the Court of Criminal Appeals; one retired circuit judge assisted the Court of Civil Appeals.

The services provided by active trial judges accepting out-of-circuit assignments and retired judges on active duty provide direct benefits to the Alabama judiciary and the people of this state by helping to ensure that the dockets of the courts throughout the state remain current.

Not included in the judge assignment statistics are the additional duties for selected district judges authorized by Supreme Court order of January 11, 1977, appointments
attorneys to serve as special judges in the district and circuit courts; assignments of circuit and district judges within a circuit by the presiding circuit judge; or the appointments of referees or general masters by local judges to hear specific cases.

It should be noted that while on active duty, retired judges do not receive any additional salary compensation. Retired judges on active duty are reimbursed for per diem and mileage expenses as allowed by statute. In many cases, however, the current per diem and mileage rates do not cover basic expenses incurred by judges in providing these services.

Clerks and Registers

There is an office of the circuit clerk in every county and in the Bessemer Division of the 10th Judicial Circuit. The duties of the circuit clerks include the issuance of process and the maintenance of all court records as required by law or rule in their respective courts. In FY 1982, separate registers' offices for the processing of equity cases were located in 15 counties. This year, legislation was enacted to provide that a register who becomes eligible to retire during a term shall be eligible for reappointment by the presiding judge of the circuit for no more than 6 additional terms of one year each.

The Supreme Court may authorize the appointment of a district court clerk who is responsible for issuance of process and maintenance of all court records as required by law or by rule in the district court. Separate district clerks' offices have been established in 6 counties. These counties are Calhoun, Cullman, Montgomery, Morgan, Mobile, and Tuscaloosa. Except as authorized by the Supreme Court, the circuit clerk serves as ex officio clerk of the district court.

District Court
Filings and Dispositions
FY 1979 — FY 1982

Filings

	1979	1980	1981	1982	Change 1981 - 1982		Change 1979 - 1982	
Traffic	180,408	241,136	249,965	218,428	-31,537	-12.6%	38,020	21.1%
Criminal	92,001	104,600	106,757	102,111	-4,646	-4.4%	10,110	11.0%
Civil	44,776	53,723	55,818	54,360	-1,458	-2.6%	9,584	21.4%
Small Claims	85,330	91,861	91,550	84,639	-6,911	-7.5%	-691	-0.8%
Juvenile	21,746	24,290	25,105	27,201	2,096	8.4%	5,455	25.1%
Municipal	14,615	12,693	13,426	14,899	1,473	11.0%	284	1.9%
Total	438,876	528,303	542,621	501,638	-40,983	-7.6%	62,762	14.3%

Dispositions

	1979	1980	1981	1982	Change 1981 - 1982		Change 1979 - 1982	
Traffic	175,910	224,720	239,224	210,128	-29,096	-12.2%	34,218	19.5%
Criminal	92,850	98,049	104,134	99,020	-5,114	-4.9%	6,170	6.6%
Civil	46,103	54,545	54,994	56,993	1,999	3.6%	10,890	23.6%
Small Claims	89,188	94,270	90,972	85,374	-5,598	-6.2%	-3,814	-4.3%
Juvenile	20,334	21,933	24,288	24,796	508	2.1%	4,462	21.9%
Municipal	12,454	11,663	12,881	14,279	1,398	10.9%	1,825	14.7%
Total	436,839	505,180	526,493	490,590	-35,903	-6.8%	53,751	12.3%

COURT ORGANIZATIONS

Judicial Discipline

Alabama has a two-tiered system for judicial discipline: the Judicial Inquiry Commission which investigates complaints brought against judges; and the Court of the Judiciary which hears charges brought by the Judicial Inquiry Commission. The current two-tier system was established in December, 1973, to replace a single-tier Judicial Commission which had been created two years earlier.

Judicial Inquiry Commission

The Judicial Inquiry Commission is the body which hears and investigates complaints of misconduct brought against judges of the state. It has the authority to conduct investigations and receive or initiate complaints concerning any judge in the state judicial system. Where warranted, the commission may file a complaint with the Court of the Judiciary charging a judge with a violation of any canon of judicial ethics, misconduct in office, or failure to perform his duties. The commission may also charge that a judge is physically or mentally unable to perform his duties. The commission has subpoena power and the authority to appoint and direct its staff. Investigations of the commission are confidential.

During FY 1982, the Judicial Inquiry Commission considered 91 complaints which resulted in 17 investigations. Six complaints were found to have insufficient evidence; 19 were without sufficient cause or basis; 4 were resolved by meeting with the commission; 57 were outside the jurisdiction; and 5 complaints were pending at the end of the fiscal year. There were ten formal investigations of which six were found to have no basis. The cause was corrected in one case and three investigations are pending.

The Judicial Inquiry Commission did not file any formal charges with the Court of the Judiciary during FY 1982.

Judicial Inquiry Commission
Members
June, 1982 — June 1983

Honorable Kenneth F. Ingram, Chairman
Presiding Circuit Judge,
18th Judicial Circuit

Honorable Richard L. Holmes
Judge, Alabama Court of Civil Appeals

Basil Thompson, Esquire
Andalusia, Alabama

Honorable Thomas N. Younger
Judge, 23rd Judicial Circuit

I. Judd Scott, Jr.
Opelika, Alabama

Broox G. Holmes, Esquire
Mobile, Alabama

William B. Hairston, Jr., Esquire
Birmingham, Alabama

Court of the Judiciary

The Court of the Judiciary is a five-member body which hears complaints filed by the Judicial Inquiry Commission. The Court is composed of one appellate judge who is selected by the Supreme Court and serves as chief judge of the court, two circuit judges appointed by the Association of Circuit Judges, and two members of the state bar appointed by the Board of Bar Commissioners. The court has the authority, after notice and public hearing, to remove from office, suspend without pay, censure, or apply such other sanctions as prescribed by law to any judge for a violation of a canon of judicial ethics, misconduct in office, or failure to perform his duties. The court may also suspend, with or without pay, or retire a judge who is physically or mentally unable to perform his duties. Decisions of the Court of the Judiciary may be appealed to the state Supreme Court which reviews the record of proceedings on the law and the facts. The Supreme Court adopts rules governing the procedures of the court. Counsel for the prosecution of cases before the court is provided by the state attorney general's office. The clerk of the Court of Civil Appeals serves as secretary of the Court of the Judiciary.

Court of the Judiciary
Members
Fiscal Year 1982

Honorable L. Charles Wright, Chief Judge
Judge, Court of Civil Appeals

Honorable J. Edward Tease
Judge, 11th Judicial Circuit

Honorable William C. Sullivan
Judge, 29th Judicial Circuit

James Carter, Esquire
Montgomery, Alabama

Harry Riddick, Esquire
Mobile, Alabama

No complaints were filed with the Court of the Judiciary during FY 1982.

Judicial Compensation Commission

Alabama's Judicial Compensation Commission is a constitutional body charged with recommending the state salary and expense allowances to be paid all judges, except municipal and probate judges.

The Commission may submit a report to the legislature at any time within the first five calendar days of any session. Unless rejected by a joint resolution or altered by an act of the legislature, the recommendations of the commission become law upon adjournment of that session. A proposed constitutional amendment, passed by the 1982 Alabama legislature, if ratified, would change these procedures. Under the proposed amendment, the report of the commission must be confirmed by a joint resolution of both houses. The proposed amendment would also allow the legislature, by act, to alter the commission's recommmendations.

In FY 1982, the commission's report was not rejected, and on April 28, 1982, the following salaries became effective: Chief Justice of the Alabama Supreme Court, $58,500; Associate Justice of the Alabama Supreme Court, $58,000; Chief Judge of an intermediate appeals court, $57,500, Judge of an intermediate appeals court, $57,000; Circuit Judge, $48,000; and District Judge, $38,400.

Judicial Compensation Commission
Members
Fiscal Year 1982

J. Clewis Trucks, Chairman
Fairfield, Alabama

O. D. Mason, Jr.
Butler, Alabama

Boyd Whigham
Clayton, Alabama

T. Massey Bedsole
Mobile, Alabama

Elisha C. Poole
Greenville, Alabama

Judicial Study Commission

In 1971, the Alabama Legislature created a study commission on the Alabama judicial system for the purpose of continuously studying "the judicial system of the state, the courts of the state, the administration of justice in Alabama, criminal rehabilitation, criminal punishment methods and procedures, and all matters relating directly or indirectly to the administration of justice in Alabama and [making] recommendations thereto."

During its annual meeting on November 20, 1981, the commission considered three main areas of interest: juvenile justice; appellate court restructuring, and appellate court facilities.

The commission considered and supported legislation which:

- Eliminated de novo appeals to circuit court in delinquency, dependency, and child-in-need-of-supervision cases and provided direct appeal to the intermediate appellate courts;
- Mandated that once a juvenile had been transferred to the adult courts he would remain in the adult courts for all subsequent criminal offenses; and
- Amended adoption statutes so that adoption procedures applicable to the probate court would be applicable to the juvenile court.

The Judicial Study Commission also agreed to support the Alabama Uniform Parentage Act, which was drafted by the Child Support Enforcement Committee appointed by Chief Justice Torbert.

Judicial Study Commission
Officers and Members
Fiscal Year 1982

Hon. C. C. Torbert, Jr., Chairman
Chief Justice
Supreme Court of Alabama

Senator Ryan deGraffenried, Jr.
10th District

Senator Don Harrison
26th District

Senator Earl S. Hilliard
15th District

Senator Larry H. Keener
10th District

Senator Reo Kirkland, Jr.
31st District

Senator Mac Parsons
14th District

Rep. John E. Amari
34th District

Rep. James M. Campbell
98th District

Hon. Kenneth F. Ingram
Judge, 18th Judicial Circuit

Hon. Robert E. L. Key
Judge, 35th Judicial Circuit

Hon. C. Bennett McRae
Judge
District Court of Morgan County

Robert H. Harris, Esquire
Decatur, Alabama

Rep. George N. Clark
89th District

Rep. Steve Cooley
10th District

Rep. Charles D. Langford
77th District

Rep. Richard S. Manley
87th District

Hon. Richard L. Jones
Associate Judge
Supreme Court of Alabama

Hon. A. Hugh Maddox
Associate Justice
Supreme Court of Alabama

Hon. John C. Tyson, III
Judge
Alabama Court of Criminal Appeals

Hon. Richard L. Holmes
Judge
Alabama Court of Civil Appeals

Hon. Joseph M. Hocklander
Judge
13th Judicial Circuit

Fournier J. Gale, Esquire
Birmingham, Alabama

Broox G. Garrett, Esquire
Brewton, Alabama

Hon. William G. Fowler
Judge
District Court of Jefferson County

Hon. Tennant M. Smallwood, Jr.
Judge
Municipal Court of Birmingham

Hon. Thomas Samford, III
Judge
Municipal Court of Opelika

Hon. Walker Hobbie
Probate Judge
Montgomery County

Hon. George D. H. McMillan, Jr.
Lt. Governor

James Samford, Esquire
Legal Advisor to the Governor

Hon. Joe C. McCorquodale, Jr.
Speaker of the House of
Representatives

James R. Solomon, Jr. Esquire
Assistant Attorney General

Advisory Section Members

Hon. Polly Conrad
Circuit Clerk, Birmingham Division
Jefferson County

Hon. Morris Moatts
Circuit Clerk, Chilton County

Hon. John M. Sawyer
Circuit Clerk, Monroe County

Hon. Ron Myers
District Attorney
37th Judicial Circuit

Hon. Lavern Tate
District Attorney
11th Judicial Circuit

Hon. Lewey Stephens
Supernumerary District
Attorney

Colonel Jerry Shoemaker
Director
Department of Public Safety

Hon. Billy Smith
Sheriff of Marengo County

Chief Kater Williams
Chief of Police
Dothan, Alabama

Allen L. Eagles
Administrative Director of Courts

SELECTED ACTS PASSED

IN FISCAL YEAR 1982

Act 82-221 — One-for-One Jury Strikes. (Effective Date -April 15, 1982)
This Act amended Section 12-16-100, *Code of Alabama* 1975, and provided: (1) an equal number of jury strikes for the defense and prosecution; (2) in the event the list of competent prospective jurors is reduced to fewer than the number required, the court shall add prospective jurors in the manner prescribed in Section 12-16-76; and (3) the court, in its discretion, may qualify such alternate jurors as it deems necessary.

Act 82-300 — Confirmation of Judicial Compensation Commission's Reports. (Effective Date - April 20, 1982)
This Act proposed an amendment to the state constitution which would amend subsection 6.09(d) of Article VI of the Constitution of Alabama of 1901, as amended, as follows:

> "6.09.
>
> (d) The Commission may submit a report to the legislature at any time within the first five calendar days of any session. *The recommendations of the Commission shall become law upon confirmation by a joint resolution or such recommendations may be altered by an act of the legislature at the session to which the report is submitted.* The compensation of a judge shall not be diminished during his official term."

This proposed amendment was ratified.

Act 82-546 — Conditional Judgeship Appointments. (Effective Date - May 4, 1982)
This Act authorized the creation of judgeships in the following circuits, provided that the governor releases the conditional appropriations for any or all positions during fiscal year 1983. One judgeship each for the 11th, 12th, 13th, 15th, 17th, 27th, 28th, and 32nd Circuits; two judgeships for the 4th Circuit; and three judgeships for the 10th Circuit. The act authorized $1.3 million in conditional appropriations for these judgeships.

Act 82-566 — Jury Sequestration. (Effective Date - May 4, 1982)
This Act amends Section 12-16-9 of the *Code* which requires that, before the trial court could permit a jury to separate, the accused and his counsel and the prosecuting attorney in any noncapital case consent in open court. The Act provides that the court, in its discretion, may permit a jury to separate and gives the court authority, on its own motion or that of any party, to require sequestration or separation. Any motion to separate or sequester the jury must be made outside the hearing of the jury, and the jury cannot be informed of who made such motion.

Act 82-519 — Eye and Dental Health Coverage. (Effective Date - May 4, 1982)
This Act amends Section 36-29-5 of the *Code* and authorizes the

State Employees' Insurance Board to permit coverage for dental and eye care under the state employees' health insurance plan. It also amends Sections 36-29-9 and 36-29-10 to provide a method for direct payment of premiums for persons, otherwise eligible, who are precluded from having the cost of their coverage deducted from a monthly benefit payment.

Act 82-617 — Ten Year Vesting for State Employees' Retirement. (Effective Date - May 4, 1982)
This Act amends Section 36-27-16 of the *Code* and grants authority to the ERS Board of Control to establish vesting requirements for employees to receive retirement benefits at not less than 10 nor more than 25 years of credible service. (The ERS Board of Control has already acted by setting the vesting requirement at 10 years.)

Act 82-383 — Re-appointment and Extension of Time for Circuit Court Registers. (Effective Date - April 26, 1982)
This Act amends Section 12-17-110 of the *Code* to read as follows:

> "(b) Re-appointment. — A register who: (1) Holds office on October 10, 1975, and (2) Is not eligible to retire and receive retirement compensation by reason of age and years of service or by provision of any retirement program in effect on January 17, 1977, may be re-appointed for terms of six years, but no register shall be re-appointed after completion of any term during which he becomes eligible to retire and receive retirement compensation; *provided, that a register who becomes eligible to retire during a term shall be eligible to re-appointment by the Presiding Judge of his Circuit for not more than six additional terms of one year each;* and provided further, that until such time as the register become eligible to retire and receive retirement compensation, re-appointment shall be automatic unless a majority of the circuit judges within the circuit, or by unanimous agreement where there are only two circuit judges, file a written declaration with the administrative director of courts stating that the register shall not be re-appointed. At such time, the office shall be deemed vacant under subsection (a) of this section.
>
> (c) Removal — The register shall be subject to removal by the judge who appointed him for cause by order to be entered at length on the minutes of the court."

Act 82-417 — Employees' Retirement System and Judicial Retirement Fund Tax Shelters. (Effective Date - April 26, 1982)
This Act gives the State Personnel Board the authority to adopt a plan to tax shelter member contributions to the ERS for purposes of federal taxes and grants the same authority to the State Supreme Court with respect to members of the JRF. (Action implementing both these provisions has been placed into effect.)

Act 82-371 — Withholding Child Support Obligations from Unemployment Compensation Benefits. (Effective Date - September 25, 1982)
This Act provides that child support obligations will be withheld from unemployment compensation benefits and will be forwarded to the agency enforcing the obligation. The provisions of this Act will become effective with respect to benefits paid on or after September 25, 1982.

Act 82-384 — Appointment of a Limited Guardian for a Partially-Disabled Person. (Effective Date - April 26, 1982)
This Act amends Sections 26-2-1 and 26-2-45 of the *Code* to provide that the court, in its discretion, may appoint a limited guardian for a partially-disabled person, i.e., a person whom the jury finds is impaired to the extent that he lacks the capacity to manage at least some of his financial resources and cannot meet at least some of the essential requirements for his physical health or safety.

Act 82-434 — Pharmacy Robbery Act. (Effective Date -July 1, 1982)
This Act establishes the criminal offense of pharmacy robbery as a separate class of robbery under the criminal code and prescribes the following penalties:

> "*Section 3.* (a) Upon conviction of the criminal offense of 'pharmacy robbery' as defined in this Act, the offender shall be imprisoned at hard labor for not less than 10 years nor more than 99 years and shall be ineligible for consideration for parole, probation or suspension of sentence.
>
> (b) On a second or subsequent conviction under this Act, the offender shall be imprisoned for the remainder of his natural life and shall be ineligible for consideration for parole, probation or suspension of sentence."

Act 82-462 — Staff Attorneys for Court of Criminal Appeals. (Effective Date - May 4, 1982)
This Act authorizes the Court of Criminal Appeals to employ two additional staff attorneys and a secretary.

Act 82-492 — Appeal of the Actions of Certifying Boards Under the Alabama Uniform Controlled Substances Act. (Effective Date - May 4, 1982)
This Act provides that it is the intent of the legislature to provide a mechanism for judicial review of the actions of certifying boards under the Alabama Uniform Controlled Substances Act so that the rights of a registrant are not prejudiced prior to review by the Circuit Court of Montgomery County.

Act 82-520 — Single Person Adoptions. (Effective Date -May 4, 1982)
This Act amends Section 26-10-1 of the *Code* relating to adoption of children. The Act permits single person adoptions and prohibits the Department of Pensions and Security, except in certain instances, from promulgating rules requiring persons seeking to adopt children to cease employment.

Act 82-555 — Transmittal of Restitution Payments. (Effective Date - May 4, 1982)
This Act amends Section 15-18-72 to require that all restitution payments be transmitted in not less than 15 days of receipt of such payment.

SELECTED ATTORNEY GENERAL

OPINIONS ISSUED IN

FISCAL YEAR 1982

During FY 1982, the Attorney General's office issued numerous opinions affecting the Unified Judicial System. The following is a listing, by date of issuance, of opinions with general application and interest to the courts.

Service of Civil Process (October 27, 1981)

The Attorney General stated that the only persons authorized to serve civil process are sheriffs, deputy sheriffs, constables, and persons designated by a court pursuant to Rule 4.1(b) (2), *Alabama Rules of Civil Procedure.*

Garnishment-Child Support (November 25, 1981 & January 26, 1982)

Interpreting Sections 6-6-490 through 6-6-493 of the *Code*, the Attorney General held that a defendant's wages may only be garnished for child support payments in arrears and not for future or prospective payments. In addition, the Attorney General ruled that these *Code* sections, providing a 40 percent limitation on the amount garnished, only apply to child support payments, not alimony, etc.; that proceedings under these provisions should be initiated by verified petition or motion and not by affidavit; that a full hearing is not required in all child support garnishment proceedings but may be requested by the plaintiff; and that process should be served on the defendant and garnishee as provided under the *Alabama Rules of Civil Procedure*. Of special interest to the courts was the ruling that the clerk or register may not issue a writ unless the court has entered an order for the amount to be garnished.

Indigent Defense-Claims for Attorney Fees (December 10, 1981)

Several questions concerning authorized disbursements from the Fair Trial Tax Fund were answered by the Attorney General in this opinion. Specifically, he ruled that an attorney appointed to represent an indigent defendant may be reimbursed for the time spent representing the defendant even though the defendant absconds and bond is forfeited or where the attorney, through no fault of his own, is removed from the case. Additionally, the Attorney General held that an attorney is eligible to receive compensation for each "case" to which he is appointed (whether companion or not) even if only one of the cases is tried and the others are dismissed or nol prossed. The Attorney General was of the opinion that a "case" becomes such and may be considered separate under Section 15-12-21 of the *Code*, if assigned a separate case number by the court.

Remarriage After Divorce-Restrictions (January 19, 1982)

Interpreting Section 30-2-10 of the *Code* which provides a 60-day restriction on remarriage after divorce, the Attorney General held that this *Code* section did not apply to persons obtaining a divorce in another state and seeking an Alabama marriage license.

Judges-Term of Office (January 26, 1982)

Citing *Hooper v. Siegelman*, 386 So. 2d 207 (Ala. 1980), as authority, the Attorney General stated that no appointee to a judgeship can serve beyond the term of his predecessor, regardless of the fact that a judge has served less than a year at the time of the next general election.

State Prisoner Status (February 8, 1982)

The Attorney General ruled that a convicted felon is not a "state prisoner" until after sentencing and that it is improper to consider him as such on the day he pleads guilty or on the day a guilty verdict is returned. Thus, the status of a prisoner ultimately depends on the sentence imposed.

Garnishment-Computing Disposable Income (February 8, 1982)

Citing Section 5-19-15, *Code of Alabama* 1975, and 15 U.S.C., Section 1672(b), the Attorney General ruled that a state employee's contribution to the state employees' retirement system should be deducted in computing the employee's disposable earnings under either Alabama's Consumer Credit Act or the federal act. Accordingly, amounts withheld for the state retirement should be deducted, as are state, local, and federal taxes.

Inmate Witnesses-Criminal Cases (February 24, 1982)

According to this opinion, it is the responsibility of the Department of Corrections to transport inmate witnesses to criminal actions in district or circuit court. Explaining the proper procedure for obtaining the presence of such witnesses, the Attorney General stated that Section 12-21-225 of the *Code* clearly mandates that the person desiring attendance of the witness must prepare and submit a writ of habeas corpus ad testificandum for presentation to the presiding judge of the circuit or district court.

Removal of Municipal Judge (February 24, 1982)

The Attorney General stated in this opinion that a municipal governing body has no authority to terminate or reduce the statutory term of office of a duly appointed municipal judge because the Judicial Article (Constitutional Amendment 328, Section 6.18), expressly provides that the discipline and removal of judges shall be through the Judicial Inquiry Commission and the Court of the Judiciary.

Garnishment-Child Support (March 3, 1982)

Interpreting Sections 6-6-490 through 6-6-493 of the *Code*, the Attorney General stated that a state employee's wages could be garnished for child support payments which are in arrears and for the attorney's fees, if awarded by the court, if the obligor has been found to be in contempt of court.

Juvenile Records-Confidentiality (March 17, 1982)

In this opinion, the Attorney General stated that the records of a juvenile who is transferred for prosecution as an adult are open to public inspection. However, records regarding a previous case in the juvenile court should remain confidential, subject to the exceptions listed in Section 12-15-101, *Code of Alabama* 1975.

Personal Property & Homestead Exemptions (March 22, 1982)

Citing Section 6-10-26, *Code of Alabama* 1975, as authority, the Attorney General held that a defendant may file an affidavit claiming his or her personal property or homestead exemption at any time after the levy of an execution but prior to the sale of the property.

Sureties Liability (March 22, 1982)

Modifying an earlier opinion, the Attorney General ruled that while sureties on an appearance bond are not liable to judgment for the fine assessed against the accused or costs incident to the trial or appeal, they may be held liable for any costs incurred in a bond forfeiture proceeding.

Videotape of DUI Defendant Competent Evidence (June 4, 1982)

In this opinion, the Attorney General ruled that a videotape (without sound) of an individual arrested for DUI would be admissible in court as competent evidence even if taken without the defendant's knowledge or without informing him of his *Miranda* rights provided that a witness testifies that the film accurately reproduces the actions of the accused as observed on the occasion.

Witness Subpoena Fees & Additional Defendant Fees (June 11, 1982)

According to this opinion, witness subpoena fees in criminal and civil cases and multiple defendant service fees should be considered "issuance" fees rather than "execution" fees. As such, these fees should be assessed upon issuance, even when the requesting party or his attorney intends to make service. The Attorney General stated that the only exception to this rule would be where payment is deferred on the basis of indigency.

Political Activities (July 8, 1982)

The Attorney General held that the prohibitions against political activities outlined in Section 36-26-38, *Code of Alabama* 1975, apply to all UJS employees, whether classified or unclassified, unless otherwise excepted by law.

Indigent Defense (July 23, 1982)

In this opinion, the Attorney General ruled that the procedure for appointing counsel to represent indigent defendants is a matter that is properly left to the discretion of the trial judge. Accordingly, the Attorney General stated that, in complex cases, a judge may appoint more than one attorney to represent an indigent defendant when he believes that to do so would be in the defendant's best interest.

Responding to a question concerning attorney compensation, the Attorney General held that sentence proceedings in non-capital felonies should not be considered as authorizing additional compensation for appointed counsel.

RULES ADOPTED BY

THE SUPREME COURT

IN FISCAL YEAR 1982

Alabama Rules of Appellate Procedures

Rule 4(b)	Appeals in circuit court - criminal cases; when taken; effective March 1, 1982; Alabama Reporter 408-410 So.2d, pp. LVII-LVIII.
Rule 5(b)	Content of petition; answer, corrections effective immediately; Alabama Reporter 408-410 So.2d, p. LXXX.
Rule 10(d)	Record on appeal; statement of the evidence or proceedings when no report is made or when transcript is unavailable; corrections effective immediately; Alabama Reporter 408-410 So.2d, p. LXXX.
Rule 18(g)	Certified questions from federal courts; briefs and arguments; corrections effective immediately; Alabama Reporter 408-410 So.2d, pp. LXXX-LXXXI.
Rule 45(b)	Scope of review of cases other than death cases; amended effective January 1, 1982; Alabama Reporter 405-407 So.2d, p. XLVII.
Form 5	Certificate of completion of reporter's transcript; corrections effective immediately; Alabama Reporter 408-410 So.2d, p. LXXXI.

Rules of Judicial Administration

Rule 19	Revised uniform traffic ticket and complaint, series F; adopted effective February 1, 1982; Alabama Reporter 408-410 So.2d, pp. XLVIII-LVI.

Rules of Civil Procedure

Rule 4(f)	Multiple defendants; incomplete service; amended effective March 1, 1982; Alabama Reporter 408-410 So.2d, pp. LXVI-LXVII.
Rule 34	Production of documents and things and entry upon land for inspection and other purposes; amended effective March 1, 1982; Alabama Reporter 408-410 So.2d, pp. LXVII-LXX.
Rule 37(a)(2)	Motion for order compelling discovery; amended effective March 1, 1982; Alabama Reporter 408-410 So.2d, pp. LXX-LXXI.
Rule 38(b)	Jury trial or right; demand; corrections effective immediately; Alabama Reporter 408-410 So.2d, p. LXXXII.
Rule 54(b)	Judgment upon multiple claims or involving multiple parties; amended effective March 1, 1982; Alabama Reporter 408-410 So.2d, pp. LXXI-LXXII.
Rule 59	New trials; amendment of judgments; corrections effective immediately; Alabama Reporter 408-410 So.2d, pp. LXXXII-LXXXIII.
Rule 82(d)	Improper venue; amended effective March 1, 1982; Alabama Reporter 408-410 So.2d, pp. LXXII-LXXIV.
Form 51	Notice of intent to serve subpoena on nonparty; effective March 1, 1982; Alabama Reporter 408-410 So.2d, p. LXXV.
Form 51A	Civil subpoena for production of documents, etc., under Rule 34(b)(2); effective March 1, 1982; Alabama Reporter 408-410 So.2d, pp. LXXV-LXXVI.

Temporary Rules of Criminal Procedures

Rule 12	Procedure on motion for judgment of acquittal; effective March 1, 1982; Alabama Reporter 408-410 So.2d, pp. LVIII-LXIII.
Rule 13	Procedure on post-trial motions; effective March 1, 1982; Alabama Reporter 408-410 So.2d, pp. LXIII-LXV.
Rule 14	Instructions to the jury; objection; adopted effective July 16, 1982; 414 So.2d, pp. LXXIV-LXXV.

Rules of Juvenile Procedure

Rule 20	Record of proceedings; amended effective March 1, 1982; Alabama Reporter 408-410 So.2d, p. LXXVII.
Rule 21	Admissibility of child's statement; amended effective March 1, 1982; Alabama Reporter 408-410 So.2d, pp. LXXVII-LXXVIII.
Rule 28	Appeals from juvenile court; effective March 1, 1982; Alabama Reporter 408-410 So.2d, pp. LXXVIII-LXXIX.

Code of Professional Responsibility

DR-2-102(A)(5) and DR-2-102(A)(7)(f)	Advertisement of legal services; amended effective February 1, 1982.
DR-5-105(C)(1)	Refusing to accept or continue employment if interests of another client may impair the independent professional judgment of the lawyer; amended effective November 10, 1981.

Rules adopted by the Supreme Court are sent by the clerk of the court to the Secretary of State and are published in the *Acts of Alabama* and supplements to the *Code of Alabama*. Additionally, rules and opinions of the Supreme Court are also published in the advance sheets to the *Southern Reporter*, 2nd Edition, and in the bound volumes of the *Alabama Reporter*.

ROSTER OF

JUDICIAL

OFFICIALS

(September 30, 1982)

ALABAMA SUPREME COURT

Clement Clay Torbert, Jr., chief justice
Alva Hugh Maddox, associate justice
James Hardin Faulkner, associate justice
Richard L. Jones, associate justice
Reneau Pearson Almon, associate justice
Janie Ledlow Shores, associate justice
Thomas Eric Embry, associate justice
Samuel Alston Beatty, associate justice
Oscar William Adams, Jr., associate justice
Dorothy F. Norwood, acting clerk, Supreme Court

ALABAMA COURT OF CRIMINAL APPEALS

John O. Harris, presiding judge
John Caius Tyson, III, judge
John Paul DeCarlo, judge
William M. Bowen, Jr., judge
Bishop Barron, judge
Mollie Sue Jordan, clerk, Court of Criminal Appeals

ALABAMA COURT OF CIVIL APPEALS

L. Charles Wright, presiding judge
Robert P. Bradley, judge
Richard L. Holmes, judge
John H. Wilkerson, Jr., clerk, Court of Civil Appeals

FIRST JUDICIAL CIRCUIT

(Choctaw, Clarke, and Washington Counties)

Hardie B. Kimbrough, presiding circuit judge
J. Richmond Pearson, circuit judge

Choctaw County
John Y. Christopher, district judge
Don Gibson, circuit clerk
James A. Christopher, register

Clarke County
Harold L. Crow, district judge
S. A. Armistead, circuit clerk

Washington County
Harold Odom, district judge
Leo Howard, circuit clerk

SECOND JUDICIAL CIRCUIT

(Butler, Crenshaw, and Lowndes Counties)

Arthur E. Gamble, Jr., presiding circuit judge

Butler County
Joseph N. Poole, III, district judge
Bobby T. Branum, circuit clerk
Maxine D. Steindorff, register

Crenshaw County
William R. King, district judge
Josephine J. Golden, circuit clerk

Lowndes County
A. Ted Bozeman, district judge
Bruce Davis, circuit clerk
Margie P. McLeod, register

THIRD JUDICIAL CIRCUIT
(Barbour and Bullock Counties)

Jack W. Wallace, presiding circuit judge

Barbour County
William H. Robertson, district judge
David S. Nix, circuit clerk

Bullock County
Dwight Hixon, district judge
Curtis J. Elzie, circuit clerk

FOURTH JUDICIAL CIRCUIT
(Bibb, Dallas, Hale, Perry, and Wilcox Counties)

Edgar P. Russell, Jr., presiding circuit judge
J.C. Norton, circuit judge

Bibb County
James M. White, district judge
R. L. Foster, circuit clerk

Dallas County
B. M. Miller Childers, district judge
William A. Kynard, circuit clerk

Hale County
O. S. Burke, district judge
Mary B. Shipley, circuit clerk

Perry County
Richard M. Avery, Jr., district judge
Mary G. Auburtin, circuit clerk

Wilcox County
A. Farrell McKelvey, district judge
Erskine Kennedy, circuit clerk

FIFTH JUDICIAL CIRCUIT
(Chambers, Macon, Randolph, and Tallapoosa Counties)

James A. Avary, presiding circuit judge
Howard F. Bryan, IV, circuit judge
William I. Byrd, circuit judge

Chambers County
Joel G. Holley, district judge
Stella, A. Pierce, circuit clerk

Macon County
Aubrey Ford, Jr., district judge
Eddie Dean Mallard, circuit clerk

Randolph County
Joe T. Burns, district judge
J. Hardy Hendon, circuit clerk

Tallapoosa County
John P. Oliver, district judge
Ruth Johnson, circuit clerk

SIXTH JUDICIAL CIRCUIT
(Tuscaloosa County)

Claude Harris, Jr., presiding circuit judge
Jerome B. Baird, circuit judge
Joseph A. Colquitt, circuit judge
Louis H. Lackey, Jr., circuit judge
Fred W. Nico., circuit judge
John M. Karrh, district judge
Gay M. Lake, Jr., district judge
Doris T. Turner, circuit clerk
Elizabeth B. Hamner, clerk of the Tuscaloosa County District Court

SEVENTH JUDICIAL CIRCUIT
(Calhoun and Cleburne Counties)

Robert M. Parker, presiding circuit judge
Samuel H. Monk, III, circuit judge
James D. Sloan, Jr., circuit judge
Malcom B. Street, Jr., circuit judge
Woodrow Albed, district judge
R. Allen Crow, district judge
Nathaniel D. Owen, district judge

Calhoun County
Richard Forrest Dobbins, circuit clerk
Barbara A. Pippin, register
Marie S. Tidwell, clerk of the Calhoun County District Court

Cleburne County
Billy Hugh Lambert, circuit clerk

EIGHTH JUDICIAL CIRCUIT
(Morgan County)

Newton B. Powell, presiding circuit judge
Richard L. Hundley, circuit judge
Rudolph W. Slate, circuit judge
C. Bennett McRae, Jr., district judge
David H. Bibb, district judge
Cleo D. Teague, circuit clerk
Gaynell L. Hall, register
Melba S. Dutton, clerk of the Morgan County District Court

NINTH JUDICIAL CIRCUIT
(Cherokee and DeKalb Counties)

Randall L. Cole, presiding circuit judge
David A. Rains, circuit judge

Cherokee County
William H. Lumpkin, district judge
Jerry G. Trammell, circuit clerk

DeKalb County
Richard C. Hunt, district judge
Jimmy V. Lindsey, circuit clerk
Gloria R. Fortson, register

TENTH JUDICIAL CIRCUIT
(Jefferson County)

Thomas E. Huey, Jr., presiding circuit judge

Birmingham Division
Joe G. Barnard, circuit judge
John N. Bryan, Jr., circuit judge
C. W. Callaway, Jr., circuit judge
Jack D. Carl, circuit judge
Marvin Cherner, circuit judge
William H. Cole, circuit judge
Charles R. Crowder, circuit judge
James S. Garrett, circuit judge
Claude B. Hughes, circuit judge
James H. Hard, IV, circuit judge
Joseph J. Jasper, circuit judge
Josh Mullins, circuit judge
Charles M. Nice, Jr., circuit judge
N. Daniel Rogers, Jr., circuit judge
William A. Thompson, circuit judge
Wadell C. Zanaty, Jr., circuit judge
Robert W. Gwin, district judge,
Donald R. Cruse, district judge,
F. Arnold Drennen, district judge
William G. Fowler, district judge
Wayne F. Thorn, district judge
Jack Montgomery, district judge
Sandra H. Ross, district judge
William W. Stewart, district judge
Polly Conradi, circuit clerk
D. L. Cockrell, register

Bessemer Division
Walter G. Bridges, circuit judge
Ralph D. Cook, circuit judge
Daniel J. Reynolds, Jr., circuit judge
Roger D. Halcomb, presiding district judge
James W. Patton, III, district judge
Vincent J. Schilleci, Jr., district judge
J. B. Vines, circuit clerk

ELEVENTH JUDICIAL CIRCUIT
(Lauderdale County)

J. Edward Tease, presiding circuit judge
Leslie G. Johnson, circuit judge
Deborah B. Paseur, district judge
W. Glenn Murphy, circuit clerk

TWELFTH JUDICIAL CIRCUIT
(Coffee and Pike Counties)

Riley P. Green, Jr., presiding circuit judge
Terry L. Butts, circuit judge

Coffee County
Gary L. McAliley, district judge
James C. Ellis, circuit clerk

Pike County
William G. Hightower, district judge
William C. Stone, circuit clerk

THIRTEENTH JUDICIAL CIRCUIT
(Mobile County)

Robert E. Hodnett, presiding circuit judge
Robert L. Byrd, Jr., circuit judge
Charles H. Dodson, Jr., circuit judge
Elwood L. Hogan, circuit judge
Cain J. Kennedy, circuit judge
Braxton Kittrell, circuit judge
Ferrill D. McRae, circuit judge
Micheal E. Zoghby, circuit judge
vacancy, circuit judge
Nicholas Kearney, presiding district judge
Dominick H. Matranga, district judge
James D. Sullivan, district judge
Thomas F. Sweeney, district judge
Maurice W. Castle, Jr., circuit clerk
W. Elsworth Haughton, register
George W. Edgar, clerk of the Mobile County District Court

FOURTEENTH JUDICIAL CIRCUIT
(Walker County)

James C. Brotherton, presiding circuit judge
Horace H. Nation, III, circuit judge
James E. Wilson, circuit judge
John L. Madison, Jr., district judge
Larry E. Lapkovitch, district judge
Sylvester Anton, circuit clerk

FIFTEENTH JUDICIAL CIRCUIT
(Montgomery County)

Perry O. Hooper, presiding circuit judge
John W. Davis, III, circuit judge
William R. Gordon, circuit judge
Joseph D. Phelps, circuit judge
Sam W. Taylor, circuit judge
H. Randall Thomas, circuit judge
Craig Miller, district judge
H. Mark Kennedy, district judge
Newman C. Sankey, district judge
Pauline C. Eubanks, circuit clerk
Jewell C. Ryals, clerk of the Montgomery County District Court

SIXTEENTH JUDICIAL CIRCUIT
(Etowah County)

Julius S. Swann, Jr., presiding circuit judge
William W. Cardwell, Jr., circuit judge
Hobdy G. Rains, circuit judge
Cyril L. Smith, circuit judge
G. Wayne Miller, district judge
Robert E. Lewis, district judge
Dolores N. Parsons, circuit clerk

SEVENTEENTH JUDICIAL CIRCUIT
(Greene, Marengo, and Sumter Counties)

Claud D. Neilson, presiding circuit judge

Greene County
Ralph R. Banks, Jr., district judge
Mary Etta Snoddy, circuit clerk

Marengo County
Kendall Snow, district judge
Dewaine L. Sealy, circuit clerk

Sumter County
Eddie D. Hardaway, district judge
Ronald Harwell, circuit clerk

EIGHTEENTH JUDICIAL CIRCUIT
(Shelby, Coosa, and Clay Counties)

Kenneth F. Ingram, presiding circuit judge
Robert R. Armstrong, Jr., circuit judge
Harold E. Walden, circuit judge
Robert J. Teel, Jr., district judge of Coosa and Clay Counties

Clay County
Robert Giddens, circuit clerk

Coosa County
Gerald D. Parker, circuit clerk

Shelby County
Patricia M. Smith, district judge
Kyle Lansford, circuit clerk

NINETEENTH JUDICIAL CIRCUIT
(Autauga, Chilton, and Elmore Counties)
Joe Macon, presiding circuit judge
Walter C. Hayden, Jr., circuit judge

Autauga County
James E. Loftis, district judge
Fred Posey, circuit clerk

Chilton County
J. Marise Mims, district judge
Morris Moatts, circuit clerk

Elmore County
Edwin Sanford, district judge
John Lazenby, circuit clerk

TWENTIETH JUDICIAL CIRCUIT
(Henry and Houston Counties)

Jerry M. White, presiding circuit judge
Don P. Bennett, circuit judge
J. Ronald Storey, circuit judge

Henry County
Joseph H. Masters, district judge
Marvin D. Murphy, circuit clerk

Houston County
Billy Joe Sheffield, district judge
Julia L. Trant, circuit clerk
Elizabeth A. Cummings, register

TWENTY-FIRST JUDICIAL CIRCUIT
(Escambia County)

Douglas S. Webb, presiding circuit judge
Earnest R. White, district judge
James D. Taylor, circuit clerk

TWENTY-SECOND JUDICIAL CIRCUIT
(Covington County)

F. Murland Smith, presiding circuit judge
William H. Baldwin, circuit judge
Charles T. Morris, district judge
F. Ray Bozeman, circuit clerk

TWENTY-THIRD JUDICIAL CIRCUIT
(Madison County)

John David Snodgrass, presiding circuit judge
Daniel B. Banks, Jr., circuit judge
William D. Page, circuit judge
C. Lynwood Smith, Jr., circuit judge
S. A. Watson, Jr., circuit judge
Thomas N. Younger, circuit judge

Hartwell B. Lutz, district judge
Jeri W. Blankenship, district judge
Billy D. Harbin, circuit clerk
Dovie P. McCollum, register

TWENTY-FOURTH JUDICIAL CIRCUIT
(Fayette, Lamar, and Pickens Counties)

Clatus K. Junkin, presiding circuit judge

Fayette County
David M. Enslen, district judge
Jack E. Renfroe, circuit clerk

Lamar County
William O. Winston, district judge
Carl F. Woods, circuit clerk

Pickens County
B. G. Robinson, Jr., district judge
James E. Floyd, circuit clerk

TWENTY-FIFTH JUDICIAL CIRCUIT
(Marion and Winston Counties)

Carlton Mayhall, Jr., presiding circuit judge
Bobby R. Aderholt, circuit judge

Marion County
Edward P. Fowler, district judge
Pride Gann, circuit clerk
Willouise Harper, register

Winston County
Robert Burleson, district judge
Waymon W. Elam, circuit clerk
Joyce Martin, register

TWENTY-SIXTH JUDICIAL CIRCUIT
(Russell County)

Paul J. Miller, Jr., presiding circuit judge
Wayne T. Johnson, Jr., circuit judge
George R. Greene, district judge
Devon Kiker, circuit clerk
Carol Kiker, register

TWENTY-SEVENTH JUDICIAL CIRCUIT
(Marshall County)

Clark E. Johnson, Jr., presiding circuit judge
William D. Jetton, circuit judge
Melvin E. Grass, district judge
Jean A. Scott, circuit clerk

TWENTY-EIGHTH JUDICIAL CIRCUIT
(Baldwin County)

Harry J. Wilters, Jr., presiding circuit judge
Wilson A. Hayes, circuit judge
Arthur C. Epperson, district judge
Phyllis S. Nesbit, district judge
Eunice B. Blackmon, circuit clerk
Eunice G. Tindal, register

TWENTY-NINTH JUDICIAL CIRCUIT
(Talladega County)

William C. Sullivan, presiding circuit judge
William P. Powers, circuit judge
John W. Coleman, district judge
Jerry L. Fielding, district judge
Samuel L. Grice, circuit clerk
Joe W. Ingram, register

THIRTIETH JUDICIAL CIRCUIT
(Blount and St. Clair Counties)

H. E. Holladay, presiding circuit judge
Carl D. NeSmith, circuit judge

Blount County
John D. Garren, district judge
John Bobby Green, circuit clerk

St. Clair County
Charles L. Kerr, district judge
Norman R. Smith, circuit clerk

THIRTY-FIRST JUDICIAL CIRCUIT
(Colbert County)

Inge P. Johnson, presiding circuit judge
N. Pride Tompkins, circuit judge
George E. Carpenter, district judge
Sara H. Blackwell, circuit clerk

THIRTY-SECOND JUDICIAL CIRCUIT
(Cullman County)

Jack C. Riley, presiding circuit judge
Fred C. Folsom, circuit judge
James W. Tucker, district judge
Ruth K. Gasser, circuit clerk
Jeaneil Raney, clerk of the Cullman County District Court

THIRTY-THIRD JUDICIAL CIRCUIT
(Dale and Geneva Counties)

P. Ben McLauchlin, Jr., presiding circuit judge

Dale County
Val L. McGee, district judge
Louise S. Childs, circuit clerk

Geneva County
George A. Black, district judge
Earl Ward, circuit clerk

THIRTY-FOURTH JUDICIAL CIRCUIT
(Franklin County)

Kennedy Williams, presiding circuit judge
Joe Gilliland, district judge
Joe Newton, circuit clerk

THIRTY-FIFTH JUDICIAL CIRCUIT
(Conecuh and Monroe Counties)

Robert E. L. Key, presiding circuit judge

Conecuh County
Sue A. Bell, district judge
Jean E. Ralls, circuit clerk

Monroe County
James B. Watson, district judge
John M. Sawyer, circuit clerk

THIRTY-SIXTH JUDICIAL CIRCUIT
(Lawrence County)

Billy C. Burney, presiding circuit judge
James E. Farrior, district judge
William L. Smith, circuit clerk

THIRTY-SEVENTH JUDICIAL CIRCUIT
(Lee County)

George H. Wright, Jr., presiding circuit judge
James T. Gullage, circuit judge
James Noel Baker, district judge
Michael A. Nix, district judge
Annette H. Hardy, circuit clerk

THIRTY-EIGHTH JUDICIAL CIRCUIT
(Jackson County)

John B. Tally, presiding circuit judge
W. Loy Campbell, circuit judge
John L. Haislip, district judge
Charles W. Wann, circuit clerk

THIRTY-NINTH JUDICIAL CIRCUIT
(Limestone County)

Henry W. Blizzard, Jr., presiding circuit judge
Howard D. Burns, district judge
Francis H. Rogers, circuit clerk

Retired Judges Who Accepted Assignments In Trial And Appellate Courts During FY 1982

David R. Archer, Retired Circuit Judge, 23rd Judicial Court

William C. Barber, Retired Circuit Judge,
10th Judicial Circuit, Civil Division, Birmingham

Ingram Beasley, Retired Circuit Judge, 10th Judicial Circuit, Civil Division, Birmingham

G. Ross Bell, Retired Circuit Judge, 10th Judicial Circuit, Family Court, Birmingham

William C. Bibb, Retired Circuit Judge 7th Judicial Circuit

Paul W. Brunson, Retired District Judge,
District Court of Mobile County

Leigh M. Clark, Retired Circuit Judge, 10th Judicial Circuit, Civil Division, Birmingham

Gardner F. Goodwyn, 10th Judicial Circuit, Bessemer

John W. Green, Jr., Retired Circuit Judge, 23rd Judicial Circuit

E. David Haigler, Retired Circuit Judge, 10th Judicial Circuit, Domestic Relations, Division, Birmingham

James D. Haley, Retired Circuit Judge, 10th Judicial Circuit, Civil Division, Birmingham

Joseph M. Hocklander, Retired Circuit Judge,
13th Judicial Circuit

Telfair J. Mashburn, Retired Circuit Judge 28th Judicial Circuit

Joseph H. Mullins, Retired Circuit Judge 19th Judicial Circuit

Eris F. Paul, Retired Circuit Judge 12th Judicial Circuit

D. L. Rosenau, Jr., Retired District Judge
District Court of Limestone County

Hugh Rozelle, Retired District Judge, District Court of Escambia County

Edward N. Scruggs, Retired Circuit Judge, 27th Judicial Circuit

James H. Sharbutt, Retired Circuit Judge
18th Judicial Circuit

Wesley R. Smith, Retired District Judge,
District Court of Talladega County

Cecil H. Strawbridge, Retired Circuit Judge,
24th Judicial Circuit

APPELLATE, CIRCUIT, AND DISTRICT COURT RETIREMENTS AND APPOINTMENTS

JUDGESHIP CHANGES

Court of Criminal Appeals

Retirement:	John Garber Bookout		February 1, 1982
Appointment:	Bishop Barron		March 12, 1982

Circuit Court

Retirements:	Fred W. Nicol	6th	September 30, 1982
	G. Ross Bell	10th	April 30,1982
	Joseph M. Hocklander	13th	November 30, 1981
	James Strickland	13th	July 31, 1982
Appointments:	James H. Hard, IV	10th	May 1, 1982
	Robert L. Byrd, Jr.	13th	December 1, 1981

District Court

Deceased	James C. Manning	10th	November 1, 1981
Appointments:	Wayne P. Thorn	10th	December 28, 1981
	Jeri W. Blankenship	23rd	October 1, 1981
	Sue A. Bell	35th	November 9, 1981
	Michael A. Nix	37th	January 1, 1982

CLERK CHANGES

Supreme Court

Retirement:	J.O. Sentell		June 30, 1982
Appointment:	Dorothy F. Norwood*		July 1, 1982

Circuit Court

Retirement:	B.J. Moody	Elmore	April 1, 1982
Appointment:	John Lazenby	Elmore	April 1, 1982

District Court

Retirement:	Walter E. Graham	Montgomery	October 31, 1981
Appointment:	Jewel C. Ryals	Montgomery	November 1, 1981

*Appointed Acting Clerk

COURT ASSOCIATIONS

Alabama Association of Circuit Judges: 1982

Hon. Jack W. Wallace, President
Presiding Judge, 3rd Judicial Circuit

Hon. Robert M. Parker, 1st Vice President
Presiding Judge, 7th Judicial Circuit

Hon. Robert E. Hodnette, Jr., 2nd Vice President
Presiding Judge, 13th Judicial Circuit

Hon. Harlie B. Kimbrough, Secretary Treasurer
Presiding Judge, 1st Judicial Circuit

Hon. Joseph A. Colquitt
Judge, 6th Judicial Circuit

Alabama Association of District Judges: 1982

Hon. William G. Fowler, President
District Judge, Jefferson County

Hon. Dominick J. Matranga, President-elect
District Judge, Mobile County

Hon. Harold Crow, 1st Vice President
District Judge, Clarke County

Hon. William H. Robertson, 2nd Vice President
District Judge, Barbour County

Hon. Bill Patton, Secretary
District Judge, Jefferson County—Bessemer Division

Hon. Joe Gilliland, Treasurer
District Judge, Franklin County

Alabama Municipal Judges Association: 1982-1983

Hon. Daniel Burgess, President
Judge, Sumiton Municipal Court

Hon. Charles "Rick" Johanson, 1st Vice President
Judge, Lee Municipal Court

Hon. Roy Hasseltine, 2nd Vice President
Judge, Rogersville Municipal Court

Hon. Frankie Fields Smith, Secretary/Treasurer
Presiding Judge, Prichard Municipal Court

Alabama Clerks and Registers Association: 1982

Hon. Barbara A. Pippin, President
Register, Calhoun County

Hon. G. Ronald Harwell, 1st Vice President
Clerk and Register, Sumter County

Hon. L. Polly Conradi, 2nd Vice President
Clerk, Jefferson County - Birmingham Division

Hon. Jerry P. Trammell, 3rd Vice President
Clerk, Cherokee County

Evelyn Perkins, Secretary/Treasurer
Court Clerk, Circuit Clerks Office, Talladega County

Alabama Council of Juvenile and Family Court Judges: 1982

Hon. A. Ted Bozeman, President
District Judge, Lowndes County

Hon. Aubrey Ford, Jr., 1st Vice President
District Judge, Macon County

Hon. William O. Winston, 2nd Vice President
District Judge, Lamar County

Hon. Dwight Hixon, Secretary Treasurer
District Judge, Bullock County

Alabama Association of Circuit Judges' Secretaries: 1982

Sharon Goldman, President
Asheville, Alabama

Faye Edmondson, 1st Vice President
Alexander City, Alabama

[illegible]a Cox, 2nd Vice President
[illegible]sden, Alabama

Pat Kirkland, Secretary
Scottsboro, Alabama

Marilyn Michael, Treasurer
Huntsville, Alabama

Association of District Judges Secretaries: 1982

Marvagene Clark, President
Guntersville, Alabama

Cynthia Yelverton, Vice President
Enterprise, Alabama

Beverly Floyd, Secretary
Troy, Alabama

Cheryl Hawkins, Treasurer
Birmingham, Alabama

Carolyn Rea, Historian
Russelville, Alabama

Alabama Association of Court Reporters: 1982-83

Richard Wilson, President
Montgomery, Alabama

Ronald U. Embry, President-Elect
Andalusia, Alabama

Erwin G. Scott, Vice President
Dothan, Alabama

Sallie N. Gunter, Secretary
Guntersville, Alabama

Laura S. Calvert, Treasurer
Birmingham, Alabama